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ACTION WHA-00

INFO	LOG-00	AID-00	AMAD-00	CIAE-00	INL-00	DODE-00	EB-00
	H-00	TEDE-00	INR-00	IO-00	L-00	AC-00	NSAE-00
	OIC-00	PA-00	PRS-00	ACE-00	P-00	FMPC-00	SP-00
	SS-00	STR-00	TRSE-00	ECA-00	PRM-00	DRL-00	G-00
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FM AMEMBASSY CARACAS

TO SECSTATE WASHDC PRIORITY 8485

INFO AMEMBASSY BOGOTA PRIORITY

AMEMBASSY LA PAZ PRIORITY

AMEMBASSY LIMA PRIORITY

AMEMBASSY QUITO PRIORITY

NSC WASHDC PRIORITY

HQ USSOUTHCOM MIAMI FL PRIORITY

RELEASED IN PART
B1, 1.4(D)

C O N F I D E N T I A L CARACAS 003618

NSC FOR CBARTON

USCINCSO ALSO FOR POLAD

E.O. 12958: DECL: 05/25/2014

TAGS: PHUM, KJUS, VE

SUBJECT: SUMATE CASE TO GO FORWARD, BUT SLOWLY

Classified By: POLITICAL COUNSELOR ABELARDO A. ARIAS FOR REASONS 1.4 (d
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Summary

1. [REDACTED]

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[REDACTED] The Chamber's ruling requires the lower court to admit several pieces of evidence into the case prior to a preliminary hearing, including testimony by four National Endowment for Democracy (NED) officials, [REDACTED]

[REDACTED] The Penal Chamber decision forbids the lower court from detaining the leaders of Sumate, determining that they are not a flight risk, or dangerous. End Summary.

Penal Chamber Ruling

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2. (U) The Penal Chamber of the Venezuelan Supreme Court ruled November 16 on various issues in the case against directors fo the NGO Sumate. The Chamber ordered the lower court hearing the case to admit 3 of 13 pieces of evidence the defense had requested, and which the prosecutor, Luisa Ortega, and the control court had rejected. The Chamber ordered the court not/not to order pre-trial detention for the suspects, ruling that they were neither dangerous, nor a flight risk. Justice Alejandro Angulo Fontiveros, considered a strong Chavez supporter, wrote the decision.

3. (U) The Penal Chamber ordered the court to admit as evidence transcripts Chavez' weekly television program Alo Presidente where he accused Sumate of receiving funds from the National Endowment for Democracy (NED) to overthrow the GOV, financial records which the defense claims prove that Sumate used the NED funds for licit purposes, and the testimony of 4 of the 32 NED officials the defense had requested. These are: President Carl Gershman; President of the Board of Directors Vin Weber; Vice President of the Board of Directors Thomas Danahue; and Treasurer Julie Finley.

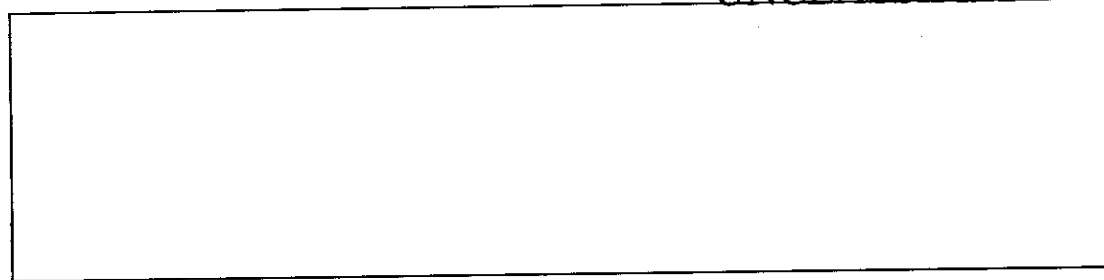
4. (U) The Chamber instructed the prosecutor to question the NED officials on four points, which the Chamber indicated demeaned Venezuela's democratic institutions. The first is Carl Gershman's statement, while visiting Venezuela, that Venezuela is "neither a democracy nor a dictatorship, but something in-between." The second is whether the NED considers democracy to be government by the majority. The third is whether the NED believes the mandates of the UN should be obeyed by member states. The fourth is exactly how Sumate spent the NED money it was given.

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